

Elizabeth J. Cabraser (083151)
ecabraser@lchb.com
LIEFF CABRASER HEIMANN
& BERNSTEIN, LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111-3339
Tel.: (415) 956-1000
Fax: (415) 956-1008

Mark P. Robinson, Jr. (054426)
mrobinson@rcrlaw.net
ROBINSON, CALCAGNIE & ROBINSON
620 Newport Center Drive, 7th Floor
Newport Beach, CA 92660
Tel.: (949) 720-1288
Fax: (949) 720-1292

Plaintiffs' Co-Lead Counsel for
Personal Injury/Wrongful Death Cases

Steve W. Berman (*pro hac vice*)
steve@hbsslw.com
HAGENS BERMAN SOBOL
SHAPIRO LLP
1918 Eighth Avenue, Suite 3300
Seattle, WA 98101
Tel.: (206) 268-9320
Fax: (206) 623-0594

Marc M. Seltzer (054534)
mseltzer@susmangodfrey.com
SUSMAN GODFREY L.L.P.
1901 Avenue of the Stars, Suite 950
Los Angeles, CA 90067-6029
Tel.: (310) 789-3100
Fax: (310) 789-3150

Frank M. Pitre (100077)
fpitre@cpmlegal.com
COTCHETT, PITRE & MCCARTHY
840 Malcolm Road, Suite 200
Burlingame, CA 94010
Tel.: (650) 697-6000
Fax: (650) 697-0577

Plaintiffs' Co-Lead Counsel for
Economic Loss Cases

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

IN RE: TOYOTA MOTOR CORP.
UNINTENDED ACCELERATION
MARKETING, SALES PRACTICES,
AND PRODUCTS LIABILITY
LITIGATION

Case No. 8:10ML2151 JVS (FMOx)

**PLAINTIFFS' MEMORANDUM
REGARDING APPOINTMENT OF
SPECIAL DISCOVERY MASTERS**

This Document Relates To:

ALL CASES

Date: June 23, 2010
Time: 9:00 a.m.
Place: Courtroom 10C

1 Plaintiffs respectfully propose to the Court that a Panel of three Discovery Masters
2 be appointed in this matter to be assigned those tasks designated by the Court that arise
3 during the course of this litigation relating to discovery matters. Plaintiffs propose that
4 one of the Special Masters be appointed to chair the Panel on those occasions when the
5 Panel would sit jointly.

6 Among the criteria that plaintiffs considered in making the recommendations to the
7 Court is their presence in this district. Each of the proposed Special Masters are
8 distinguished jurists who have handled complex litigation matters. Another criteria
9 plaintiffs considered was the fact that the individuals who are recommended are all
10 affiliated with one major alternative dispute and mediation firm that will facilitate
11 coordinating their efforts in this litigation. Plaintiffs propose the following as Special
12 Discovery Masters:¹

13
14 1. The Hon. John K. Trotter, Justice of the California Court of Appeal (Ret.).

15 Plaintiffs propose that Justice Trotter would serve as the chair of the Panel.
16 Plaintiffs had initially suggested that Justice Trotter make recommendations as to who
17 would serve as the other panelists. Plaintiffs have instead decided to recommend who
18 would serve as the other two panelists and they are the following jurists:

19 2. The Hon. Dickran M. Tevrizian, United States District Judge (Ret.).

20 3. The Hon. Daniel S. Pratt, Judge of the California Superior Court (Ret.).

21 Justice Trotter has a long and distinguished career in supervising and managing
22 complex civil litigation. Judge Tevrizian also has a wealth of experience in handling
23 complex cases and, as a former United States District Judge, is very familiar with the
24 procedural rules governing complex multidistrict litigation such as this. Judge Pratt also
25 has extensive experience in managing complex litigation and has served as a coordination
26

27
28 ¹ Attached hereto are the biographies of plaintiffs' proposed Special Masters as Exhibits 1,
2 and 3, respectively.

1 judge in mass tort litigation. Each of these distinguished jurists are affiliated with JAMS
2 and each of them maintain offices within this district.

3 Plaintiffs do not believe that it would be necessary at this time to appoint a Special
4 Master or assistant to the Special Masters for e-discovery matters. Should the Special
5 Master or Masters appointed by the Court believe such assistance is necessary, they may
6 make a recommendation to the Court to that effect. Plaintiffs also do not believe it is
7 necessary to have a Special Master for federal and state court coordination issues.
8 Plaintiffs believe that the Discovery Masters appointed by the Court would be able to
9 handle such issues. Should the need arise for additional assistance, a proposal may be
10 made by the Special Masters appointed by the Court to that effect.
11

12 Dated: June 21, 2010.

13 Respectfully submitted,

14 MARC M. SELTZER
15 SUSMAN GODFREY L.L.P.

16 By /s/ Marc M. Seltzer
17 Marc M. Seltzer

18 STEVE W. BERMAN
19 HAGENS BERMAN SOBOL SHAPIRO LLP

20 By /s/ Steve W. Berman
21 Steve W. Berman

22 FRANK M. PITRE
23 COTCHETT, PITRE & MCCARTHY

24 By /s/ Frank M. Pitre
25 Frank M. Pitre

26 Plaintiffs' Co-Lead Counsel for
27 Economic Loss Cases
28

1 Elizabeth J. Cabraser
2 LIEFF CABRASER HEIMANN &
3 BERNSTEIN LLP

4 By /s/ Elizabeth J. Cabraser
5 Elizabeth J. Cabraser

6 MARK P. ROBINSON, JR.
7 ROBINSON, CALCAGNIE & ROBINSON

8 By /s/ Mark P. Robinson, Jr.
9 Mark P. Robinson, Jr.

10 Plaintiffs' Co-Lead Counsel for
11 Personal Injury/Wrongful Death Cases
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28